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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/832,108	04/11/2001	Gunter Bauer	T2861-907039	8656

7590

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EXAMINER

HARVEY, JAMES R

ART UNIT

PAPER NUMBER

2833

DATE MAILED: 06/14/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/832,108

Applicant(s)

BAUER, GUNTER

Examiner

James R. Harvey

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 April 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 April 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☒ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

- The Information Disclosure statement and related documents have been considered.

Election/Restrictions

- Applicant's election with traverse of claims 1-11 (Group II) in Paper No. 4 is acknowledged. The traversal is on the ground(s) that the materially different process produces the connector of claim 1 (Elected claims, Group II) falls within the scope of Claim 12 (Non-elected, Group I). This is not found persuasive because the method of manufacturing of claim 12 is a broad claim that can be met by the track element being located in a depression on a printed circuit board and using solder as the molding mass. This contrasts the alternative method of manufacturing that was presented in the restriction action. The latter method of manufacturing is materially different because it does not require the molding mass of applicants method of manufacturing. The requirement is still deemed proper and is therefore made FINAL

Priority

- Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Germany (100 18 020.5) on 11 April 2000. It is noted, however, that applicant has not filed a certified copy of the German application as required by 35 U.S.C. 119(b). Applicant's declaration identifies the prior foreign application as number 100 18 020.5.34. However, the priority document submitted is numbered 100 18 020.5. NOTE: The extension .34 is missing on the priority document submitted. Explanation or correct document number is required.

Oath/Declaration

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- Receipt is acknowledged of papers filed under 35 U.S.C. 119 (a)-(d) based on an application filed in Germany (100 18 020.5) on 11 April 2000. Applicant has not complied with the requirements of 37 CFR 1.63(c), since the oath, declaration or application data sheet does not acknowledge the filing of any foreign application with the same numbers as the priority document numbers. A new oath, declaration or application data sheet is required in the body of which the present application should be identified by application number and filing date.
- Applicant is now required to submit a substitute declaration or oath to correct the deficiencies set forth in this office action. Failure to timely file the substitute declaration (or oath) will result in **ABANDONMENT** of the application.

Drawings

- The drawings are objected to because the cross-hatching is improper. See MPEP 608.02.

For example, portions of the drawings in section and made of an insulated material must be crosshatched with alternating thick and thin lines, not with just thin lines.

- **Please note that drawing corrections will no longer be held in abeyance. If drawing correction are not submitted with the response to this office action, the response will be consider a Non-Responsive Reply and the following paragraph will apply:**

The reply filed on xxx is not fully responsive to the prior Office Action because: xxx Since the period for reply set forth in the prior Office action has expired, this application will become abandoned unless applicant corrects the deficiency and obtains an extension of time under 37 CFR 1.136(a).

The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. In no case may an applicant reply outside the SIX (6) MONTH statutory period or obtain an extension for more than FIVE (5) MONTHS beyond the date for reply set forth in an Office action. A fully responsive reply must be timely filed to avoid abandonment of this application.

Claim Rejections - 35 USC § 102

- The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

- Claim(s) 1-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Inoue (5833481).
 - In reference to claim 1, Inoue shows an electrical conductor track element (5, 6, 8) (figure 4A) having at least one connection portion (near 8) electrically connected to a connection zone 10a of an electrical component 10, wherein a wall (adjacent 3b (figure 4A) is provided in a vicinity of the connection portion and the connection zone 10a, such that a basin (area inside of housing 1) is formed and a molding mass 9 is distributed in the basin.
 - In reference to claim 2, Inoue shows the track element is provided with at least one additional electrical component (pcb 11 (figures 1 and 8) within the basin.
 - In reference to claim 3, Inoue shows the track element (5, 6, 8) is flexible. The meaning of "flexible" is not set forth in the claims and is thus deemed to be so broad that it is met by the applied reference.
 - In reference to claim 4, Inoue shows (figure 4B) the track element has a bent portion 5b within the basin.
 - In reference to claim 5, Inoue shows (figures 1 and 4A) the connection arrangement is arranged within a housing 1.
 - In reference to claim 6, Inoue shows the wall (adjacent 3b (figure 4A) forms part of a housing.

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-- In reference to claim 7, Inoue shows (figures 1, 8, and 9) the connection arrangement is arranged within a housing 1 having at least one retaining protrusion 22a (figure 9) extending through a retainer opening 20 (figure 4A) of the track element (5,6, 8).

-- In reference to claim 8, Inoue shows the connection arrangement is arranged within a housing 1 having at least one receiving portion 25 (cover sheet) for receiving a part of the electrical component 11.

-- In reference to claim 9, Inoue shows the track element comprises a plurality of layers (5, 6, and 8).

-- In reference to claim 10, Inoue shows at least one layer 6b of the track element 6 comprises electrically conductive tracks.

-- In reference to claim 11, Inoue shows at least one layer 8 is an electrically isolating layer.

- Claim(s) 1-3 and 5-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Muzslay (5735697).

-- In reference to claim 1, Muzslay shows (cover sheet) and (figure 10) an electrical conductor track element 130 having at least one connection portion 50 (figure 2)) electrically connected to a connection zone 46 of an electrical component 36, wherein a wall 86 (figure 5) is provided in a vicinity of the connection portion and the connection zone 46, such that a basin (area inside of wall 86) is formed and a molding mass 70 (figure 4) is distributed in the basin (figure 5).

-- In reference to claim 2, Muzslay shows the track element 130 is provided with at least one additional electrical component 34 (figure 5) within the basin.

-- In reference to claim 3, Muzslay shows the track element 130 is flexible (figure 10).

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-- In reference to claim 5, Muzslay shows (cover sheet) the connection arrangement is arranged within a housing 20.

-- In reference to claim 6, Muzslay shows the wall forms part of a housing (figure 10).

-- In reference to claim 7, Muzslay shows (figure 10) the connection arrangement is arranged within a housing 20 having at least one retaining protrusion (near 136) extending through a retainer opening (near 136) of the track element 130.

-- In reference to claim 8, Muzslay shows the connection arrangement is arranged within a housing 1 having at least one receiving portion 106 (figure 6).

In reference to the claim language "for receiving a part of the electrical component", this claim language is seen to be for the intended use of the claimed apparatus and has not seen to be a limitation of the claim, since it has been held a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. *Ex parte Masham*, 2 USPQ2d 1647 (1987).

-- In reference to claim 9, Muzslay shows (figure 2) the track element comprises a plurality of layers.

-- In reference to claim 10, Muzslay shows at least one layer 52 of the track element 130 comprises electrically conductive tracks.

-- In reference to claim 11, Muzslay shows at least one layer (below 52) is an electrically isolating layer.

Conclusion

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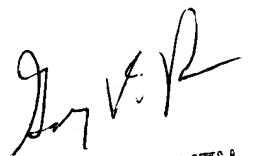
- The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Palazettie et al. shows an insulated conductor track 44, Inoue'829 (5382829), Watanabe et al., and Loibl et al. show the state of the art with respect to applicant's claimed invention.
- Any inquiry concerning this communication or earlier communications from the examiner should be directed to James R. Harvey whose telephone number is 703-305-0958. The examiner can normally be reached on 8:00 A.M. To 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on 703-308-2319. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7724 for regular communications and 703-308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0952.

James R. Harvey, Examiner

jrh
June 7, 2002



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